

### **REMARKS**

The Remarks which follow are responsive to the Final Office Action mailed September 11, 2007 in relation to the above-identified patent application. In that Office Action, the Examiner indicated that Claims 1, 2, 11, 12 and 20 were rejected under 35 U.S.C. §102(e) as purportedly being anticipated by the Osako et al. reference (US 6,988,668). However, based on the totality of the language included in Section 2 of the subject Final Office Action, it appears that the Examiner actually intended to identify Claims 1, 2, 6-12 and 16-23 as being anticipated by the Osako et al. reference, with the opening paragraph of Section 2 thus being in error. This same issue arose in the prior Office Action of March 7, 2007, with Applicant's request for clarification as presented in the Amendment filed June 14, 2007 having apparently been ignored by the Examiner in this latest Office Action. In any event, for purposes of this response, Applicant once again assumes that Claims 1, 2, 6-12 and 16-23 currently stand as rejected under Section 102(e) as being anticipated by the Osako et al. reference.

Additionally, the Examiner indicated that Claims 3 and 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over the Osako et al. reference in view of the Hirai et al. reference (US 6,417,444). However, based on the totality of the language included in Section 4 of the subject Office Action, it appears that the Examiner actually intended to identify Claims 3, 4, 13 and 14 as being unpatentable over the Osako et al. reference in view of the Hirai et al. reference, with the opening paragraph of Section 4 also being in error. This same issue also arose in the prior Office Action of March 7, 2007, with Applicant's request for clarification as presented in the Amendment filed June 14, 2007 having apparently been ignored by the Examiner in this latest Office Action as well. Once again, for purposes of this response, Applicant assumes that Claims 3, 4, 13 and 14 currently stand as rejected under Section 103(a) as being unpatentable over the Osako et al. and Hirai et al. references.

Further, the Examiner rejected Claim 24 under 35 U.S.C. §103(a) as being unpatentable over the Osako et al. reference in view of the Kodai et al. reference (US 5,244,840). Finally, the Examiner rejected Claims 5 and 15 under 35 U.S.C. §103(a) as being unpatentable over the Osako et al. reference in view of the Iwasaki reference (US 6,145,023).

*Independent Claims 1, 11 and 20-22 are Not Anticipated by the Osako et al. Reference*

In their current form, independent Claims 1, 11 and 21 each describe the first and second encapsulation parts as each being ***“exposed in the memory card.”*** Additionally, independent Claims 20 and 22 in their current form each describe the mold compound applied to the substrate in accordance with the recited memory card fabrication method as being ***“exposed in the memory card.”***

In addition, in their current form, independent Claims 1, 11 and 21 each describe the first and second encapsulation parts as being ***“completely separated”*** from each other by the ***“substrate.”*** Similarly, independent Claims 20 and 22 each describe the mold compound applied to the bottom surface as being ***“completely separated”*** from the mold compound applied to the top surface by the ***“substrate.”***

Applicant respectfully submits that independent Claims 1, 11 and 20-22 are not anticipated by the cited Osako et al. reference. As is apparent Figures 1-3 and 19-21 of the Osako et al. reference, the IC card 1 comprises a wiring substrate 5 have an interconnect 10 formed on one side thereof, and an external connection terminal 6 formed on the side thereof opposite that having the interconnect 10 formed thereon. Attached to the side of the substrate 5 having the interconnect 10 formed thereon is semiconductor chip 7. The semiconductor chip 7 is electrically connected to the interconnect 10 through the use of a bonding wire 9. The semiconductor chip 7, bonding wire 9, interconnect 10 and a portion of that surface of the substrate 5 to which the semiconductor chip 7 is mounted are covered by a sealing portion 8 made of a thermosetting resin material. A portion of the remaining side of the substrate 5 having the connection terminal 6 formed thereon is covered with a sealing portion 3 which is made of a thermoplastic resin material.

As is explained in the specification of the Osako et al. reference and shown in the above-referenced figures thereof, the majority of the sealing portion 8 is covered by a case 2 as a result of the fitting of the sealing portion 8 into a complimentary dent or recess 2a defined by the case 2. That portion of the sealing portion 8 which is not covered by the case 2 is itself covered by the subsequently formed sealing portion 3, the case 2 and the sealing portion 3 being described as made of the same thermoplastic resin material. In this regard, the explicit teaching of the Osako et al. reference is that the IC body 4 collectively defined by the substrate 5, semiconductor chip 7, bonding wire 9 and sealing portion 8 is cooperatively

engaged to the case 2 by the sealing portion 3, with a portion of the surface of the substrate 5 having the connection terminal 6 formed thereon and at least a portion of the surface of the case 2 on the side on which the IC body 4 is mounted being covered with the sealing portion 3 (see Osako et al. reference, column 5, line 66 through column 6, line 10).

Thus, based on the foregoing, Applicant respectfully submits that the clear teaching of the Osako et al. reference is that the external card shape of the IC card 1 is collectively defined by the case 2 and the sealing portion 3 thereof. In this regard, the sealing portion 8 is **completely covered** by the case 2 alone or in combination with the sealing portion 3, and thus is not exposed in the IC card 1 formed in accordance with any embodiment described in the Osako et al. reference. Moreover, as is seen in Figures 2, 21, 24, 31, 34, 36, 40, 46 and 47 of the Osako et al. reference, the case 2 and the sealing portion 3, which are each exposed in the IC card, are always in direct contact with each other.

In the subject Final Office Action, the Examiner correlates the “first encapsulation part” called out in the pending claims to the sealing portion 3, and correlates the “second encapsulation part” called out in the pending claims to the sealing portion 8. In this regard, the Examiner argues that the sealing portion 8 is “***completely separated***” from the sealing portion 3, and that the sealing portions 3, 8 are each “***exposed in the memory card.***”

Through the presentation of this argument, the Examiner appears to have retreated to the same position taken in the prior Office Action of August 22, 2006 rendered in relation to the present application, wherein the Examiner characterized the sealing portion 8 of the Osako et al. reference alone as satisfying the “second encapsulation part” feature recited in each of Claims 1 and 11, and as further satisfying the mold compound applied to the top surface of the substrate as recited in step (d) of Claim 20. Applicant addressed this argument in its prior Amendment of December 6, 2006, wherein Applicant first established that the sealing portion 8 of the Osako et al. reference is completely covered by the case 2 alone or in combination with the sealing portion 3, and thus is not exposed in the IC card 1.

In apparent acceptance of the Applicant’s argument presented in the prior Amendment of December 6, 2006 that the sealing portion 8 of the Osako et al. reference is completely covered by the case 2 alone or combination with the sealing portion 3 and thus is not exposed in the IC card 1, in the prior Office Action of March 7, 2007, the Examiner characterized **the combination** of the sealing portion 8 **and** the case 2 as purportedly

satisfying the “second encapsulation part” feature recited in each of Claims 1, 11 and 21, as well as the mold compound applied to the top surface of the substrate as recited in step (d) of each of Claims 20 and 22. In its Amendment of June 14, 2007, Applicant demonstrated that the clear, explicit teaching of the Osako et al. reference is that only the sealing portion 8 “*encapsulates*” the semiconductor chip 7 in accordance with the accepted meaning of the term in the relevant art, and that the specification of the Osako et al. reference actually states that the “*sealing portion 8*” is used for “*sealing the semiconductor chip 7*” (see Osako et al. reference, column 5, lines 33-34). In this regard, Applicant established that there is absolutely no teaching or suggestion in the Osako et al. reference regarding the case 2 as “*encapsulating*” the semiconductor chip 7 since only the sealing portion 8 does, and further established that though the sealing portion 8 encapsulates the semiconductor chip 7, it is clearly not exposed in the IC card 1, unlike the case 2 which is exposed therein. Applicant also demonstrated that the element formed by the combined sealing portion 8 and case 2 is not “*completely separated*” from the sealing portion 3 since the sealing portion 3 and case 2 are always in contact with each other.

Based on the prosecution history highlighted above and the clear, explicit teachings of the Osako et al. reference, Applicant respectfully submits that the basic premise of the Examiner’s current argument regarding the applicability of the teachings of the Osako et al. reference to the features of Claims 1, 11 and 20-22 has been and continues to be fundamentally flawed. As indicated above, in each of independent Claims 1, 11 and 20-22, the first and second encapsulation parts (in the case of Claims 1, 11 and 21) or the mold compound (in the case of Claims 20 and 22) are each described as being “*exposed*” in the memory card. Contrary to the Examiner’s argument, the sealing portion 8 of the Osako et al. reference, correlated by the Examiner to the “*second encapsulation part*”, is simply not “*exposed*” in the IC card 1. Applicant notes that in the current rejections of Claims 20 and 22, the Examiner makes reference to the “first and second encapsulation parts” features, despite such language not appearing in either of these claims.

Thus, Applicant respectfully submits that independent Claims 1, 11 and 20-22 are not anticipated by the Osako et al. reference, and are in condition for allowance. Additionally, Applicant respectfully submits that Claims 2-10, 12-19, 23 and 24 are also in condition for allowance as being dependent upon respective allowable base claims.

Conclusion

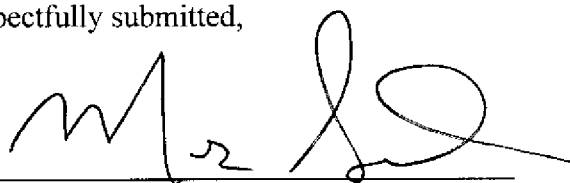
On the basis of the foregoing, Applicant respectfully submits that the stated grounds of rejection have been overcome, and that Claims 1-24 are in condition for allowance. Additionally, Applicant respectfully submits that the present response does not introduce new issues which would require further searching on the part of the Examiner, and therefore respectfully requests that the same be considered and entered by the Examiner. An early Notice of Allowance is therefore respectfully requested.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: 11/9/07

By:



Customer No.: 007663

Mark B. Garred  
Registration No. 34,823  
STETINA BRUNDA GARRED & BRUCKER  
75 Enterprise, Suite 250  
Aliso Viejo, California 92656  
Telephone: (949) 855-1246  
Fax: (949) 855-6371